



PUBLIC NOTICE

US Army Corps
of Engineers
New York District
Jacob K. Javits Federal Building
New York, N.Y. 10278-0090
ATTN: Regulatory Branch

In replying refer to:

Public Notice Number: 2004-00317-L2
Issue Date: November 29, 2005
Expiration Date: December 28, 2005

To Whom It May Concern:

The New York District, Corps of Engineers has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344).

APPLICANT: Nora Tuthill-Glueck
5 Timber Lane
Fairport, NY 14450

ACTIVITY: Dredge with beach nourishment, install floating docks

WATERWAY: School House Creek a tributary of Cutchogue Harbor, Little Peconic Bay Basin

LOCATION: New Suffolk, Town of Southold, Suffolk County, New York.

A detailed description and plans of the applicant's activity are enclosed to assist in your review.

The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historical properties, fish and wildlife values, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

ALL COMMENTS REGARDING THE PERMIT APPLICATION MUST BE PREPARED IN WRITING AND MAILED TO REACH THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE. otherwise, it will be presumed that there are no objections to the activity.

Any person may request, in writing, before this public notice expires, that a public hearing be held to collect information necessary to consider this application. Requests for public hearings shall state, with

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particularity, the reasons why a public hearing should be held. It should be noted that information submitted by mail is considered just as carefully in the permit decision process and bears the same weight as that furnished at a public hearing.

Our preliminary determination is that the activity for which authorization is sought herein is not likely to affect any Federally endangered or threatened species or their critical habitat. However, pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the District Engineer is consulting with the appropriate Federal agency to determine the presence of and potential impacts to listed species in the project area or their critical habitat.

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-267), requires all federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). A complete description of the project is given in the attached Work Description. The District Engineer has made the preliminary determination that the site-specific adverse effects are not likely to be substantial. Further consultation with NMFS regarding EFH impacts and conservation recommendations is being conducted and will be concluded prior to the final decision.

Based upon a review of the latest published version of the National Register of Historic Places, there are no known sites eligible for, or included in, the Register within the permit area. Presently unknown archeological, scientific, prehistorical, or historical data may be lost by work accomplished under the required permit.

Reviews of activities pursuant to Section 404 of the Clean Water Act will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 (b) of the Clean Water Act and the applicant will obtain a water quality certificate or waiver from the appropriate state agency in accordance with Section 401 of the Clean Water Act prior to a permit decision.

Pursuant to Section 307 (c) of the Coastal Zone Management Act of 1972 as amended [16 U.S.C. 1456 (c)], for activities under consideration that are located within the coastal zone of a state which has a federally approved coastal zone management program, the applicant has certified in the permit application that the activity complies with, and will be conducted in a manner that is consistent with, the approved state coastal zone management program. By this public notice, we are requesting the state's concurrence with, objection to, or waiver of the applicant's certification. No permit decision will be made until one of these actions occur. For activities within the coastal zone of New York State, the applicant's certification and accompanying information is available from the Consistency Coordinator, New York State Department of State, Division of Coastal Resources and Waterfront Revitalization, Coastal Zone Management Program, 41 State Street, Albany, New York 12231, Telephone (518) 474-6000. Comments regarding the applicant's certification, and copies of any letters to this office commenting upon this proposal, should be so addressed.

In addition to any required water quality certificate and coastal zone management program concurrence, the applicant has obtained or requested the following governmental authorization for the activity under consideration:

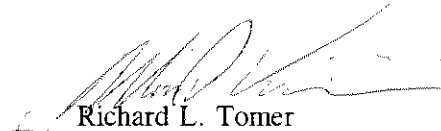
- New York State Department of Environmental Conservation
- Town of Southold Town Trustees

It is requested that you communicate the foregoing information concerning the activity to any persons

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known by you to be interested and who did not receive a copy of this notice. If you have any questions concerning this application, you may contact this office at (212) 264-3912 and ask for Russell C Smith.

For more information on New York District Corps of Engineers programs, visit our website at <http://www.nan.usace.army.mil>



Richard L. Tomer
Chief, Regulatory Branch

Enclosures

WORK DESCRIPTION

The applicant, Nora Tuthill-Glueck, has requested Department of the Army authorization to dredge with subsequent beach nourishment, and install four (4) floats. The project site is in School House Creek, a tributary to Cutchogue Harbor, Little Peconic Bay, New Suffolk, Town of Southold, Suffolk County, New York.

The work would involve maintenance dredging of approximately 300 cubic yards of material, from an area of approximately 4,000 square feet, to a maximum project depth of 5 feet below the plane of mean low water. The dredging would be accomplished by utilizing a barge mounted crane with a clamshell bucket.

All dredge material would be temporarily stored in a 1,200 square foot upland area on-site. Return flow to the waterway would not be authorized; all runoff from the temporary disposal site would be retained by hay bales located at the western (and seaward-most) end of the storage area.

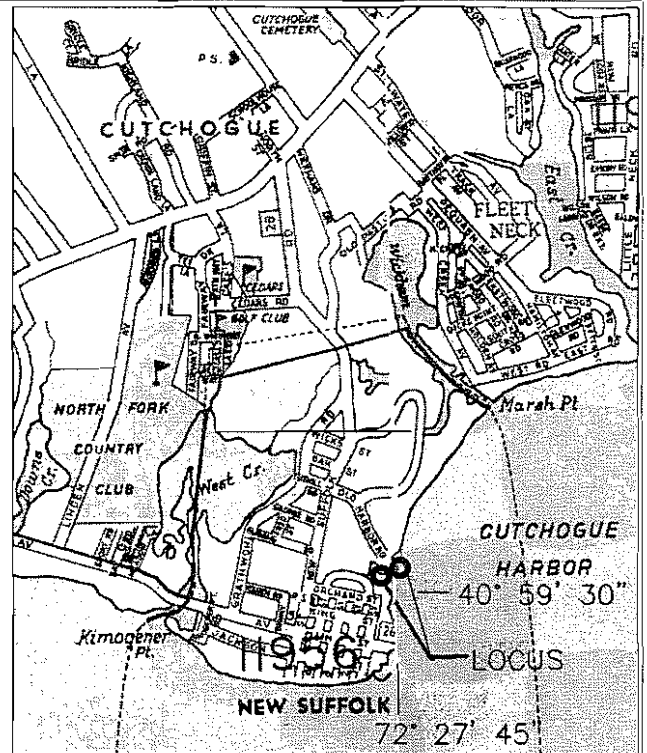
Ultimately the dredged material would be used for on-site beach nourishment at the eastern-most end of the property. The dredge material would be disposed of on a beach of approximately 3,200 square feet, via a rubber tired payloader, in two (2) separate events as the beach profile will allow. Approximately 2,850 square feet of the intended fill area is below the Spring High Water line.

The proposed project would also involve installation of four (4) 6 foot wide by 20 foot long floating docks parallel to an existing dock.

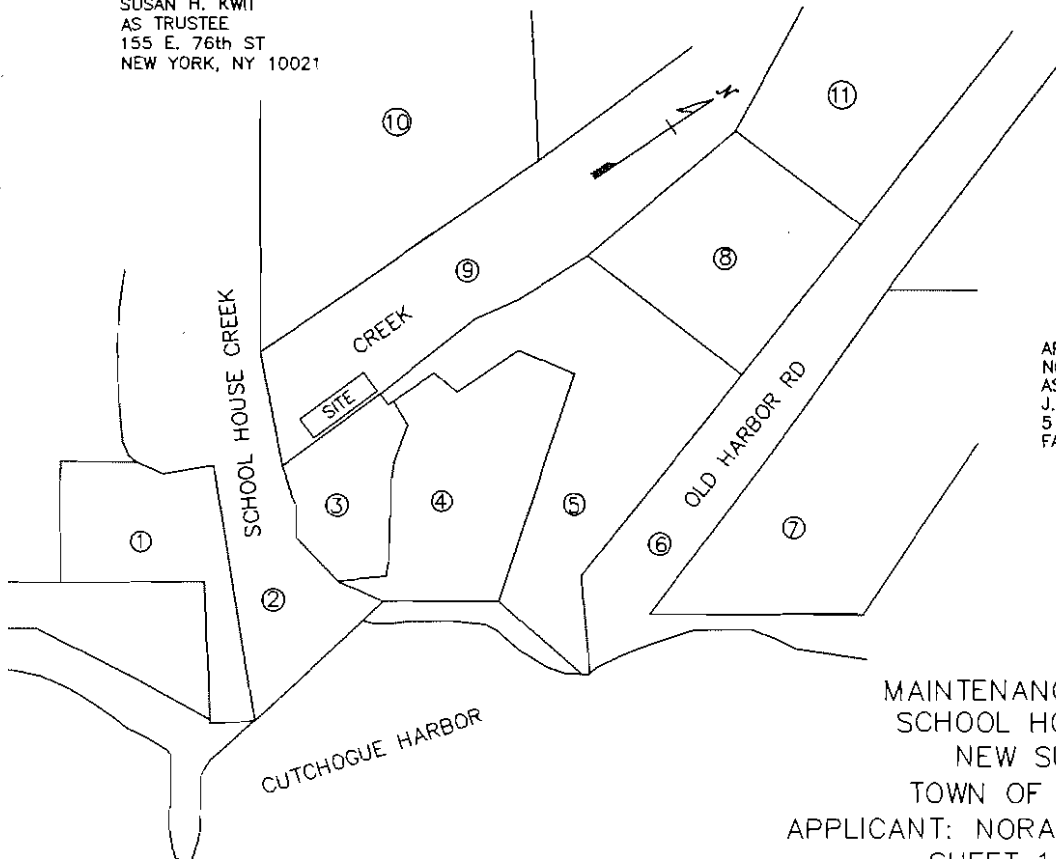
The stated purpose of this project is to restore the marina to its original depth thereby providing safe ingress and egress, re-establishment of 4 docking spaces, and restoration of an eroded beach.

ADJACENT PROPERTY OWNERS

- 1 1000-117-5-46.3
GERARD SCHULTHEIS
1640 FIRST ST
PO BOX 299
NEW SUFFOLK, NY 11956
- 2 1000-117-5-47, 50
LAWRENCE TUTHILL, SR.
PO BOX 129
NEW SUFFOLK, NY 11956
- 4 1000-117-5-15
JOHN HARTUNG
1028 APOLLO BEACH BLVD.
APOLLO BEACH, FL 33572
- 6 TOWN OF SOUTHOLD
53029 MAIN RD
SOUTHOLD, NY 11971
- 7 1000-117-3-10
JAN ROSS
JON SCHRIER
56 PARK AVE
LARCHMONT, NY 10538-4223
- 3, 5, 8, 9 1000-117-5-13, 14.1, 14.2, 50
NORA TUTHILL GLUEK AS TRUSTEE
FOR THE J. KATHARINE TUTHILL ESTATE
5 TIMBER LN
FAIRPORT, NY 14450
- 10 1000-117-5-21.1
WILLIAM & ROBERTA JAKLEVIC
PO BOX 597
CUTCHOGUE, NY 11935
- 11 1000-117-5-12.1
SUSAN H. KWIT
AS TRUSTEE
155 E. 76th ST
NEW YORK, NY 10021



HAGSTROM'S SUFFOLK COUNTY ATLAS
MAP 25, GRID K39 SCALE 1" = 3000'

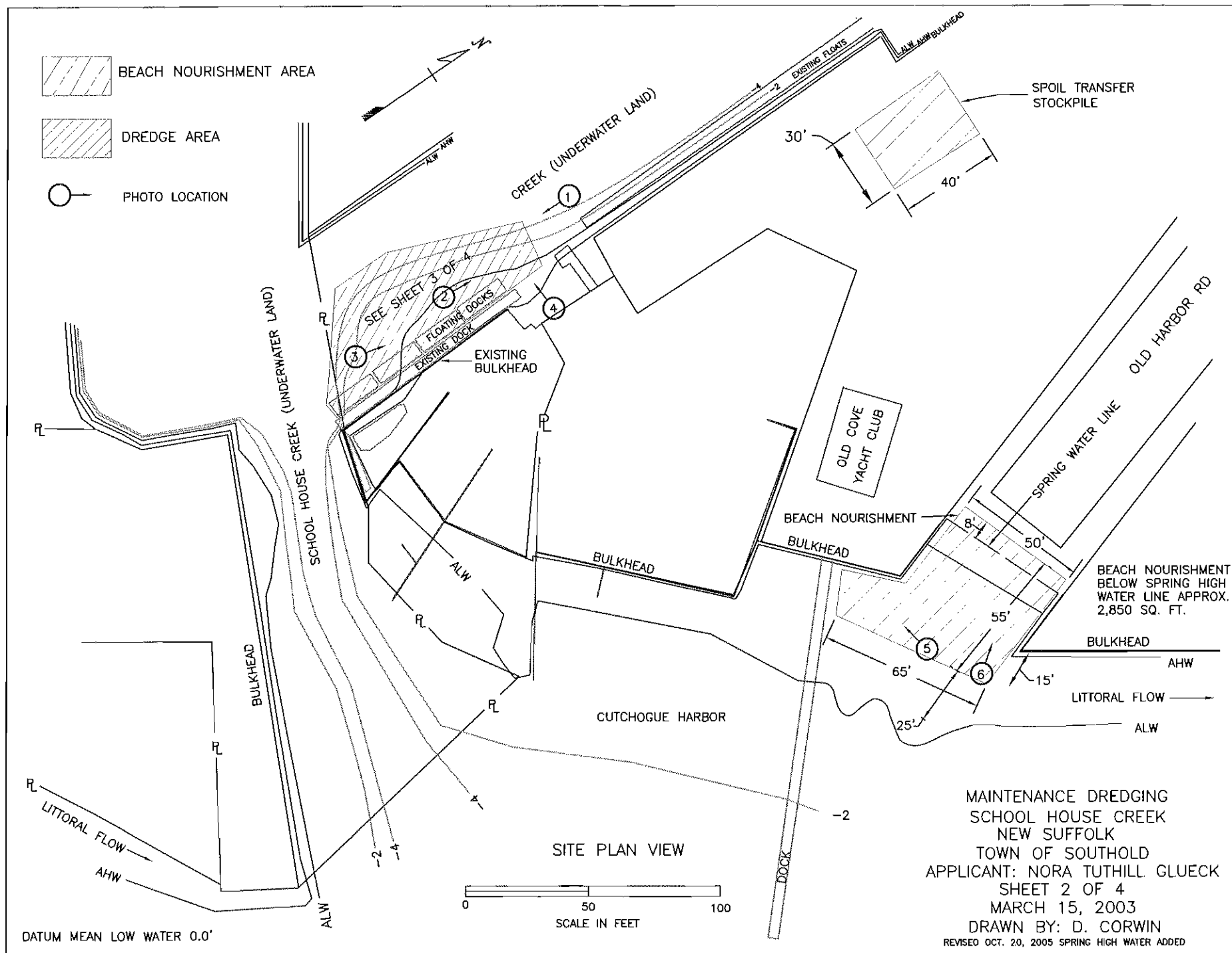


APPLICANT:
NORA TUTHILL GLUEK
AS TRUSTEE FOR THE
J. KATHARINE TUTHILL ESTATE
5 TIMBER LANE
FAIRPORT, NY 14450

0 100 200 300
SCALE IN FEET

MAINTENANCE DREDGING
SCHOOL HOUSE CREEK
NEW SUFFOLK
TOWN OF SOUTHOLD
APPLICANT: NORA TUTHILL GLUEK
SHEET 1 OF 4
MARCH 15, 2004
DRAWN BY: D. CORWIN

Application # 2004-00317-L2



Application # 2004-00317-12

NYSDDEC
APPROVED AS PER TERMS
AND CONDITIONS OF

PERMIT NO. 1-4738-00778/00005
DATE February 18, 2005
SCA

NOTES

DREDGE TO MAXIMUM OF -5.0

DREDGE MATERIAL CLEAN SAND

ALL RUNOFF TO BE RETAINED ON
SPOIL TRANSFER SITE

APPROX. DREDGE VOLUME
300 CUBIC YARDS

DREDGE SPOIL TO BE USED
AS BEACH NOURISHMENT MATERIAL
SOUTH END OF OLD HARBOR RD

DREDGE MATERIAL WITH BARGE
MOUNTED CRANE CLAMSHELL BUCKET
PLACE BEACH NOURISHMENT
WITH RUBBER TIERED LOADER

DEPOSIT BEACH NOURISHMENT MATERIAL
IN 2 PLACEMENTS OF APPROXIMATELY
150 CU. YDS. EACH AS BEACH PROFILE
ALLOWS

METHOD OF CONSTRUCTION

DREDGE MATERIAL TO BE STOCKPILED IN
PARKING LOT

PLACE SPOIL MATERIAL AT END OF
OLD HARBOR ROAD AS CONDITIONS ALLOW

PRIMARY PLACEMENT SITE BETWEEN
ROAD END AND AHW

SECONDARY PLACEMENT SITE BETWEEN
AHW AND A LINE BETWEEN TWO
BULKHEAD CORNERS

MATERIAL TO BE SPREAD BY
WAVE ENERGY

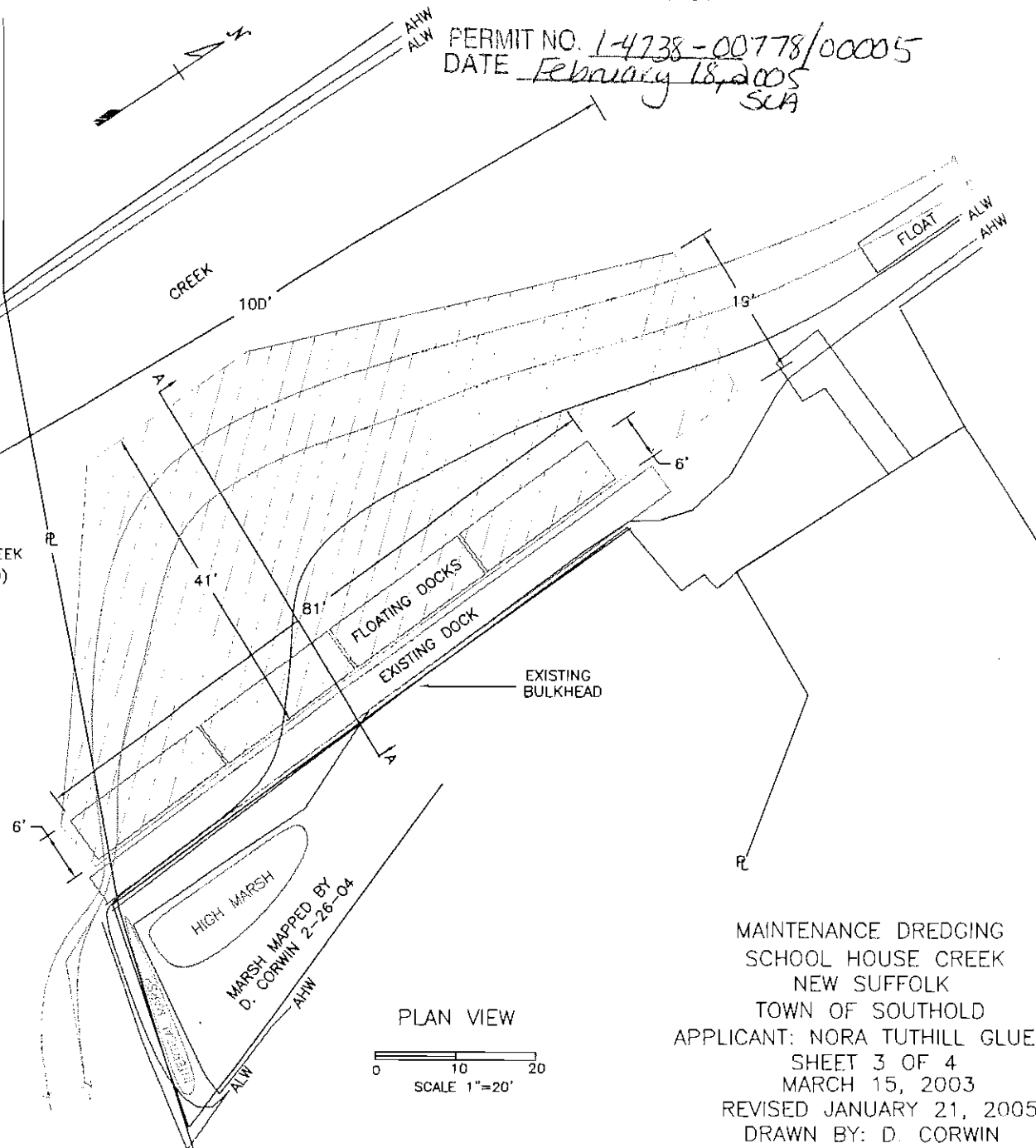
SPOIL LIFTS AS CONDITIONS ALLOW PLACEMENT



DREDGE AREA

DATUM MEAN LOW WATER 0.0'

SCHOOL HOUSE CREEK
(UNDERWATER LAND)

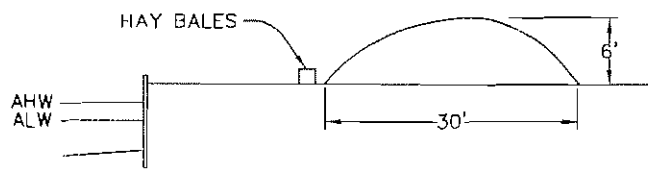


PLAN VIEW

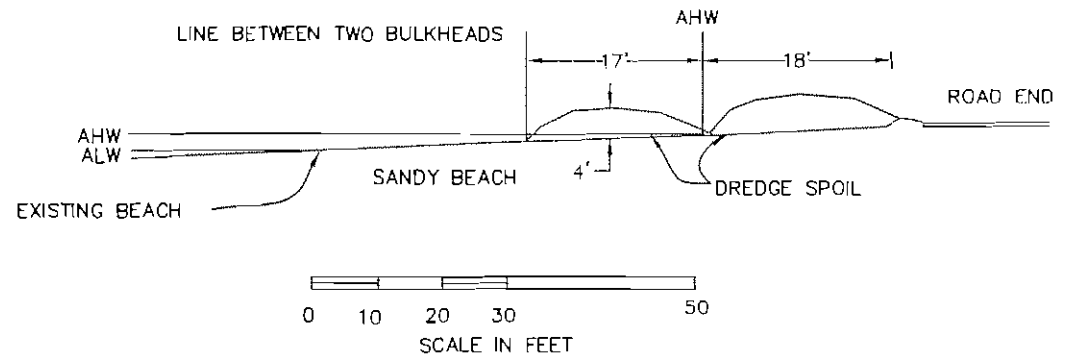
0 10 20
SCALE 1"=20'

MAINTENANCE DREDGING
SCHOOL HOUSE CREEK
NEW SUFFOLK
TOWN OF SOUTHOOLD
APPLICANT: NORA TUTHILL GLUECK
SHEET 3 OF 4
MARCH 15, 2003
REVISED JANUARY 21, 2005
DRAWN BY: D. CORWIN

Application # 2004-00317-L2



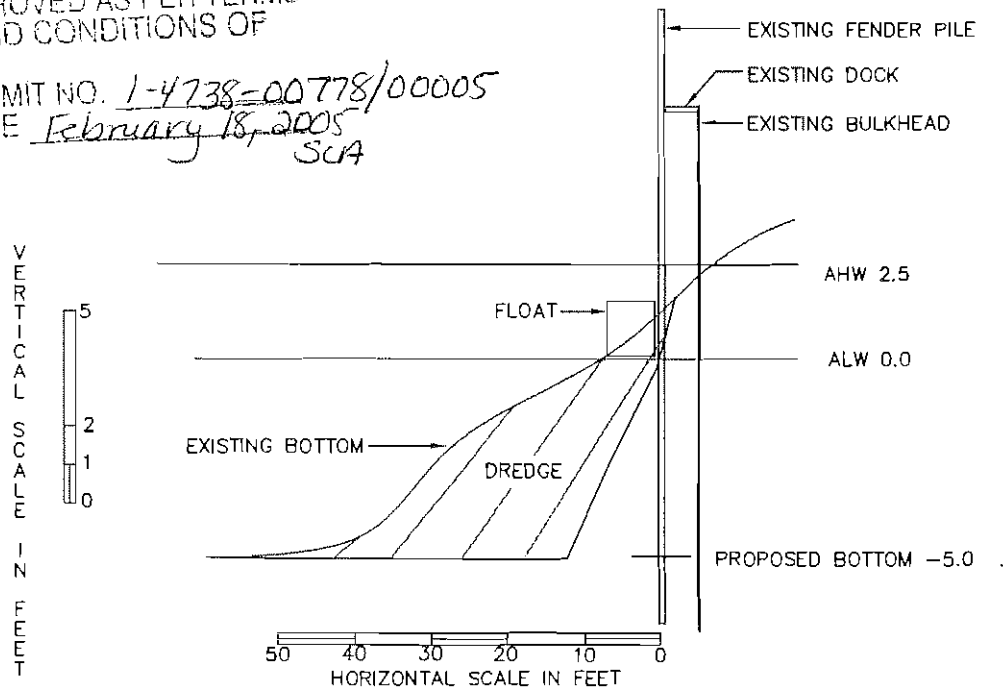
CROSSVIEW SPOIL TRANSFER STOCKPILE
NOT TO SCALE



CROSSVIEW BEACH NOURISHMENT

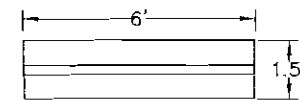
NYSDEC
APPROVED AS PER TERMS
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PERMIT NO. 1-4738-00778/00005
DATE February 18, 2005
SCA



CROSSVIEW SECTION A-A

DATUM 0.0 MEAN LOW WATER



FLOAT CROSS SECTION
NO SCALE

FLOATS TO BE REPAIRED/CONSTRUCTED
FROM ACQ TREATED SOUTHERN PINE

MAINTENANCE DREDGING
SCHOOL HOUSE CREEK
NEW SUFFOLK
TOWN OF SOUTHOLD
APPLICANT: NORA TUTHILL GLUECK
SHEET 4 OF 4
MARCH 15, 2004
REVISED JANUARY 21, 2005
DRAWN BY: D. CORWIN

Application # 304-00317-12